

CRIMINAL CODE MODERNIZATION  
AND SIMPLIFICATION ACT OF 2006**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. SENSENBRENNER. Mr. Speaker, I rise today to introduce the "Criminal Code Modernization and Simplification Act of 2006."

This measure revises the criminal code to update, simplify and consolidate many of the criminal provisions in Title 18 of the United States Code. It has been over 50 years since the criminal code was last revised. The existing criminal code is riddled with provisions that are either outdated or simply inconsistent with more recent modifications to reflect today's modern world.

As my term as Chairman of the Judiciary Committee comes to a close, I am introducing this measure to begin the dialogue and process for rewriting the criminal code. It is my hope that this bill will trigger a dialogue and input from other interested parties to develop a more comprehensive re-write. Further, it is my hope that a careful review of the code will lead to even more of a reduction in the "federalization" of what many consider local crimes. I am well aware that federal prosecutions constitute only 7 percent of the criminal prosecutions nationwide. We need to ensure that the federal role continues to be limited and that the State and local offenses are not subsumed within an ever expanding criminal code.

Through the years, the criminal code has grown with more and more criminal provisions, some of which are antiquated or redundant, some of which poorly drafted, some of which have not been used in the last 30 years, and some of which are unnecessary since the crime is already covered by existing criminal provisions.

This bill cuts over 1/3 of the existing criminal code; reorganizes the criminal code to make it more user-friendly; and consolidates criminal offenses from other titles so that title 18 includes all major criminal provisions (e.g., drug crimes in title 21, aviation offenses and hijacking in title 49).

In redrafting the criminal code, I applied several drafting principles: (1) added a uniform set of definitions for the entire title; (2) revised the intent requirements to apply a consistent definition of intent in response to Supreme Court criticisms of intent requirements for criminal offenses; (3) eliminated excess language that confuses, or potentially complicates, use of a criminal statute; and (4) added new headings to make the code more user friendly.

I attempted to the extent possible to make these changes policy neutral; however, two general policy changes were made: (1) attempts and conspiracies to commit criminal offenses are generally punished in the same manner as the substantive offense unless specifically stated otherwise; and (2) criminal and civil forfeiture and restitution provisions were consolidated unless a more specific policy was adopted for a crime.

I wanted to take a moment to thank the Legislative Counsel's Office and in particular Doug Bellis, the Deputy Counsel of that Office, who devoted substantial efforts to preparing this bill and should be commended for his extraordinary efforts.

I recognize that additional input from outside interested parties will be needed, and look forward to working with other Members, the Justice Department, the Department of Homeland Security, the Treasury Department and other parties on this worthwhile project.

RECOGNIZING THE ACCOMPLISHMENTS  
OF THE AMERICAN COUNCIL  
OF YOUNG POLITICAL LEADERS**HON. BETTY MCCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Ms. MCCOLLUM of Minnesota. Mr. Speaker, it is with appreciation that I rise today to recognize the accomplishments of the American Council of Young Political Leaders (ACYPL). As a bipartisan, non-profit educational exchange organization, ACYPL serves a critical purpose in helping to ensure strong U.S. public diplomacy around the world.

ACYPL programs enhance understanding of political systems, cultures, and people by fostering relations between young political leaders. These international exchanges are an important strategy in a broader effort to ensure our nation's security and the protection of U.S. interests abroad.

Through these exchanges young political leaders learn from each other and share their experiences. In fact, two of my own staff have participated in ACYPL programs, including a program to Egypt and a program to Tanzania and Uganda. These experiences have provided opportunities for them to share their views on democracy, foreign policy issues, and cultural differences—broadening their world views and building new international relationships.

I am also proud that my Congressional Office has hosted several young political leaders over the years. This September, my office hosted a young political leader from Egypt—Ms. Fatma Zaki-Khalil. Fatma is a staff member with the Badrawi Technical Bureau. Dr. Hossam Badrawi, a former of the People's Assembly and Chairman of the Education Committee, has also hosted young American political leaders, including a staff member from my office, through ACYPL exchange programs in Egypt.

Thank you ACYPL. I look forward to continued partnerships in working to support cultural and political exchanges.

## PERSONAL EXPLANATION

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. MOORE of Kansas. Mr. Speaker, on September 28, 2006, I was unavoidably detained and failed to cast a recorded vote on rollcall vote No. 495. Had I cast my vote, I would have voted "no."

## PERSONAL EXPLANATION

**HON. LINDA T. SÁNCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, on September 7, 2006 I missed rollcall vote No. 433, the American Horse Slaughter Prevention Act (H.R. 503). Had I been present, I would have voted in favor of this bill that intends to put an end to horse slaughter in this country for good. The practice of this purely export-driven market which involves the cruel treatment and killing of our horses for trade is unacceptable, and therefore I am a proud cosponsor and supporter of this bill that moves to end these practices.

## INTRODUCTION OF H.R. 6014

**HON. RICHARD W. POMBO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. POMBO. Mr. Speaker, California's Sacramento-San Joaquin Delta provides water for millions of Californians and is a recreational and environmental treasure. In addition, it serves as a home, where generations of us continue to live and work.

The Delta, however, is also one of the most flood-prone areas in the world. Hurricane Katrina reinforced the need to do everything possible to protect the Delta. To do otherwise would risk tempting the same human and environmental disaster that devastated New Orleans. Simply accepting that the Delta will flood catastrophically is unacceptable.

Over the past two years, we have held productive hearings on protecting the Delta and have steered funding towards actual levee construction. Long-term studies are underway, but I worry that our federal and state agencies are studying levee protection to death and do not have a comprehensive emergency preparedness plan. The reality is hearings and long-term studies don't protect Delta Residents and water users from the immediate threats that swollen waterways present.

That's why I introduced H.R. 6014. Experts on the ground who work to keep the levees safe have told me that the most effective levee protection is performed through the California Levees Subvention Program. It's a proven program with tangible results. While we continue to develop long-term strategies for protecting the Delta, funding this existing program will cut through bureaucratic red tape and get needed dirt and rock on the levees in a cost effective manner.

My bill is not a cure-all, but it is a bipartisan step in the right direction. It rightly forces the Bureau of Reclamation to funnel money to a proven program that will benefit the agency and the 22 million California water consumers who depend on reliable levees in the Delta.

The 2004 Jones Tract levee failure demonstrated that what happens in the Delta, does not stay in the Delta. Private levee failures can have a significant impact on federal agencies: The Jones Tract failure forced the Bureau of Reclamation to shut down its export water pumps to those south of the Delta for several days. The funding in my bill helps prevent future levee failures that could have far-

reaching impacts on the entire State. It is simply an ounce of prevention for a pound of cure.

Mr. Speaker, I thank you for considering this important and timely legislation. Studies and history have shown that levees in the Delta are vulnerable to breaks at any moment. We must act now to protect our communities and water supply and this bill does exactly that.

TRIBUTE TO POINT MUGU,  
CALIFORNIA

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. GALLEGLY. Mr. Speaker, I rise to recognize and pay tribute to Naval Air Station, Point Mugu, California and its 60 years as a premier Navy missile research, development, test, and evaluation center.

Mugu beach is believed to be the site where Juan Cabrillo landed on October 10, 1542. Muwu was the capital village of the Chumash Indians located along the shores of Mugu Lagoon. Most of its early history centers around ranching, farming, and the famous Mugu fish camp.

In 1947, Congress appropriated funds to establish a permanent Navy presence here to develop a site where both missiles and pilotless aircraft could be tested. Since the mid-1940s, Point Mugu has had several Center Names, all with the mission to develop, test, and evaluate missiles and related systems.

Originally, on October 1, 1946, Point Mugu was named the U.S. Naval Air Missile Test Center, followed on August 1, 1949, as the Naval Air Station. On June 16, 1958, it obtained the Pacific Missile Range moniker and on January 7, 1959, it was named the Naval Missile Center. On April 26, 1975, Point Mugu became the Pacific Missile Test Center. On January 21, 1992, it became the Naval Air Warfare Center Weapons Division and Naval Air Weapons Station.

Today it is part of Naval Base Ventura County with the designation Naval Air Station, Point Mugu.

The main base complex at Point Mugu consists of 4,500 acres of support facilities and instrumentation equipment. Point Mugu maintains three runways to support range users and the numerous operational units assigned there.

Additionally, the Sea Range Operational Area comprises a 36,000-square-mile instrumented sea test range that can be expanded to 196,000 square miles. The sea range is supported by a deepwater port located at nearby Port Hueneme, and San Nicolas Island 60 miles off the coast.

Point Mugu is an integral part of the Naval Air Warfare Center Weapons Division, NAWCWPNS, the Navy's full spectrum research, development, test evaluation, and in-service engineering center for weapons systems associated with air warfare.

Mr. Speaker, I know my colleagues will join me in paying tribute to the military and civilian men and women who, over the course of 60 years, have dedicated themselves to the defense of the United States and have substantially contributed to the security of the United States and our allies.

CONGRATULATING JEEHYUN CHOI

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today to express my congratulations to one of my constituents—Ms. Jeehyun Choi. Jeehyun, a resident of St. Paul, is one of six national winners of the Library of Congress's 2006 Letters about Literature competition. She is one of the two high school-aged winners.

Jeehyun, who will read her letter during the Letters about Literature national awards presentation at the National Book Festival on the National Mall on September 30, 2006, is an 11th grade student at Saint Paul Academy.

Jeehyun addressed her letter to Peter Hedges the author of *What's Eating Gilbert Grape*. In her letter she eloquently expressed her thoughts about the book and her ability to relate to the main character—Gilbert. The letter is a joy to read and will certainly inspire many to enter the world of Gilbert by taking time to read *What's Eating Gilbert Grape*.

I also would like to recognize those who support Letters About Literature—affiliate State centers of the book and Target Stores—a Minnesota company. These kinds of public/private partnerships expand opportunities for our youth and I appreciate their commitments.

Congratulations Jeehyun. It is my hope that you will continue to be inspired by literature and to share your inspiration with others.

TRIBUTE TO ACCESSIBLE ARTS ON  
ITS 25TH ANNIVERSARY

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. MOORE of Kansas. Mr. Speaker, I take this opportunity today to pay tribute to Accessible Arts, Inc., of Kansas City, Kansas, during the year in which it celebrates its 25th year of service to children with disabilities.

Accessible Arts values children and the arts; above all, access to the arts for children with disabilities is their core principle. Advocacy, education and collaboration are essential components in accomplishing their objectives. Through the arts, children develop critical thinking skills, take risks in a safe environment and experience successes. The challenge of creating something of value instills hope and self-confidence in children of all ages.

In 1981, Accessible Arts founder and first executive director William Freeman saw the need for an organization to advocate for active participation in the arts for all children, regardless of their ability. The result was the Arts with the Handicapped program of the Kansas State Department of Education, which later became Accessible Arts, Inc.

This unique and innovative program has benefited thousands of children, their teachers and parents. This 25th anniversary of the Accessible Arts program is cause for celebration and appreciation of all who have contributed to its development, and to celebrate Accessible Arts' continuing its important work. I join in paying tribute to this unique and valuable program and wish Accessible Arts many more

years of successful service to children with disabilities and their families.

TRIBUTE TO NEW VERNON  
VOLUNTEER FIRE DEPARTMENT

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the New Vernon Volunteer Fire Department, in the Township of Harding, Morris County, New Jersey, a patriotic community that I am proud to represent! On September 30, 2006 the good citizens of Harding Township and the surrounding area will celebrate the New Vernon Fire Department's 85th anniversary at their 54th annual auction.

New Vernon, in the early 20th century, was a small community within Passaic Township with about 300 scattered homes with no electricity or radio. The Postmaster and keeper of the general store owned a large coach with a long seat on each side, which he used to take groups on picnics and other outings. When someone heard of a fire, he hitched his team to the coach and took the available men to the site of the fire. In the absence of a water supply and pumps, the best they could do was to pass buckets of water from hand to hand. Residents were eager for a fire department. The New Vernon Volunteer Fire Department was formally incorporated in 1921 with approximately 21 members along with the Ladies Auxiliary of approximately 35 members.

The all volunteer fire department has never received financial support through taxation. A large portion of the financial support in 1924 came from a carnival fundraiser, dinners and square dances; today, and for the past 54 years, an all-day auction, annual steak and lobster dinners, pancake breakfasts and soup contests have successfully raised a majority of the money needed to support the fire department. These events also are known to be opportunities for town residents to get together.

During the first 50 years of the department's history, the fire department responded to over 1,000 calls. In 1995, along with the First Aid Squad, they responded to more than 400 calls in that year alone.

Today, New Vernon Volunteer Fire Department Chief Ken Noetzli and his 60 volunteer firemen respond within an area that includes over 1,000 homes and a major interstate highway. The number of members has grown from 21 to 60.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the New Vernon Volunteer Fire Department on its 85 years of protecting one of New Jersey's finest municipalities.

A TRIBUTE TO ROMALLUS O.  
MURPHY

**HON. G.K. BUTTERFIELD**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 29, 2006*

Mr. BUTTERFIELD. Mr. Speaker, I rise today to pay tribute to an outstanding citizen and a person whom I admire greatly, attorney